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*Attorneys for Defendant
Frederic A. Bourke, Jr.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

PLAINTIFF,

V.

FREDERIC BOURKE, JR.,

DEFENDANT.

.....X

**NOTICE OF MOTION
AND MOTION OF FREDERIC A.
BOURKE, JR. FOR NEW
TRIAL BASED ON NEWLY
DISCOVERED EVIDENCE**

05 Cr. 518 (SAS)

PLEASE TAKE NOTICE that upon the accompanying memorandum of law,
declaration, and exhibits, defendant Frederic A. Bourke, Jr. will move this Court before

the Honorable United States District Judge Schira A. Scheindlin, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an Order granting a new trial based on newly discovered evidence under Fed. R. Crim. P. 33 and the Due Process Clause of the Fifth Amendment.

Dated: March 9, 2011

Respectfully submitted,

s/ Harold A. Haddon

Harold A. Haddon

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s/ John D. Cline

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